

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

PAULA KRITZMAN,

:

Plaintiff, : 06 Civ. 0233 (LAK) (HBP)

-against-

: ORDER

AMERICAN EXPRESS RETIREMENT
PLAN, et al.,

:

Defendants.

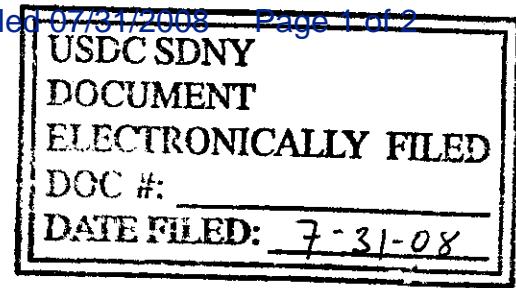
:

-----X

PITMAN, United States Magistrate Judge:

This matter has been on the suspense docket while the Court of Appeals considered the appeal in Hirt v. The Equitable Retirement Plan which raised at least some of the same issues that this action raised. Hirt was decided by the Court of Appeals on July 9, 2008, and obviously constitutes binding precedent.

Counsel are directed to confer promptly and to fax me a letter by the close of business on August 11, 2008 setting forth a joint proposal for bringing this matter to a conclusion. If the parties are unable to agree on a joint proposal, the letter



should set forth the parties' respective proposals. Brevity is always appreciated.

Dated: New York, New York
July 31, 2008

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

Curtis V. Trinko, Esq.
16 West 46th Street
Seventh Floor
New York, New York 10036

Joseph Meltzer, Esq.
Edward Ciolko, Esq.
Mark Gyandoh, Esq.
Joseph Weeden, Esq.
Schiffrrin & Barroway, LLP
280 King of Prussia Road
Radnor, Pennsylvania 19087

Christopher Parlo, Esq.
Michael Banks, Esq.
Jeremy Blumenfeld, Esq.
Tamara Garnes Mata, Esq.
Morgan, Lewis & Bockius, LLP
101 Park Avenue
New York, New York 10178